



# LCHR UPDATE

Lincoln Commission on  
Human Rights

8th Edition  
Summer 2004

## A WORD FROM THE DIRECTOR—LARRY WILLIAMS



Dear Friends:

The Lincoln Commission on Human Rights continues to press forward with fulfilling our mission of enforcing our civil rights laws and providing educational outreach.

We sponsored a very successful 2004 Fair Housing Conference with more than 280 attendees. The evaluations indicate that the conference was a success. In recognizing good work in the area of fair housing, we presented the Lincoln Board of Realtors our corporate Fair Housing Award for their work in diversifying Lincoln's realtor workforce. We congratulate them on a job well done. The individual award was presented to Ms. Cindy Preisendorf with the Community Humanitarian Resource Center in Grand Island, Nebraska.

We continue to reach out to the Lincoln community by providing information to clients of the Lincoln Housing Authority, Neighborhood Inc. and other nonprofit groups. We have embarked

on a new project, in conjunction with the Lincoln-Lancaster Women's Commission, (LLWC) to educate our young adults about civil rights, racial and sexual harassment in the workplace, by presenting information to the Career Development Classes at Lincoln East, Lincoln Northeast, Lincoln Southwest and Lincoln Southeast. We hope to present to all of the Lincoln public high schools during the fall term.

In conjunction with the LLWC we are updating our directory of women and minority businesses. This task will be completed in the fall of 2004. We are also making progress in revising our contract compliance program and will offer formal D.B.E. certification to businesses in the near future. We are committed to increasing the amount of business that the City does with women and minority firms.

There are other new initiatives which the LCHR has undertaken, but suffice it to say, this has been a period of great progress. Thank you for your support and "Let's Continue to Pull Together, Before We are Torn Apart."

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### Sixth Annual Great Plains Symposium on Employment Issues

Tuesday, October 19  
8:00 AM to 5:00 PM  
Cornhusker Hotel  
333 S. 13th Street  
Lincoln, NE  
Call 402-441-7625

## 2004 GREAT PLAINS SYMPOSIUM

**"We believe that all men are created equal, yet many are denied equal treatment." (President L.B. Johnson, White House, Washington, D.C., July 2, 1964).** In remembrance of the signing of the Civil Rights Act of 1964, the Lincoln Commission on Human Rights is sponsoring their Sixth Annual Great Plains Symposium on Employment Issues. Our theme is "Civil Rights in the Workplace" - Celebrating the 40<sup>th</sup> Anniversary of the Civil Rights Act of 1964. We are honored that Chair Cari Dominguez of the Equal Employment Opportunity Commission (EEOC) will come to Lincoln to be the keynote speaker for the Symposium.

In addition, well known local presenters have committed to presenting sessions at the event. These include Milo Mumgaard from the Nebraska Appleseed Project, Attorneys Mark Fahleson, Bob Evnen, and Vince Powers, Jill Flagel and Steve Willborn from the University of Nebraska-Lincoln, and Helen Fagan with BryanLGH Medical Center Human Resources office. They will be speaking on issues including the American with Disabilities Act, Employment-at-Will, and creating a culturally diverse environment and workforce.

Registration forms will be mailed in August. For any questions or to make sure you receive a form, call Sandi at 402-441-7625 or E-mail at [smoody@ci.lincoln.ne.us](mailto:smoody@ci.lincoln.ne.us).



Liz Bruce & Doug Rotthaus, Lincoln Realtor® Association, winner of the 2004 Fair Housing Corporate Award, along with Larry Williams, Director of LCHR.

## 2004 Fair Housing Conference

On April 13th, the Lincoln Commission on Human Rights (LCHR) held the third Fair Housing Conference at the Embassy Suites Conference Center here in Lincoln. Each year the conference has grown larger and more successful. There were over 300 people registered to attend the conference, including people from Colorado, Kansas, Missouri, and Iowa. Those coming from Nebraska were from not only Lincoln and Omaha, but as far away as Chadron and Scottsbluff. Education on fair housing

is a growing need as the population grows more and more diverse throughout the State.

Attorney John Relman from Washington, D.C. returned to provide an update on fair housing laws. New to the conference this year was Professor John Baugh from Stanford University. Professor Baugh is well known for his research and information regarding linguistic profiling. He did not disappoint the Conference audience with his presentation and we are hopeful that he will return another year.

Professor Karen Curls from Kansas City gave a very enlightening presentation on urban apartheid and again we are hopeful she'll be able to return another year.

Local speakers presented on fair housing advertising, housing the mentally ill, and accommodating disabilities in rental housing. A major focus was given to design and construction, primarily aimed at architects, contractors, and builders. We were fortunate to have Mr. Jack Catlin with the

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## Linguistic Profiling—Not Housing Only



John Baugh, an African American linguist at Stanford University, presented the luncheon program at the 2004 Fair Housing Conference (see above). Although Professor Baugh's, and other researchers focus at this time is on housing discrimination, how can linguistic profiling carry over to the field of employment? How often is a person denied, or granted, a job interview based on the sound of their voice. In

the case of *Johnson v. Jensen*, Professor Baugh testified that people can often identify a speaker's race from speech alone. He has also found that this extends over to sexual orientation and hearing-impaired. And what about the reverse situations? An individual of color calls about a job or a house, and based on the fact that they sound "White", they are granted an interview, only to find when they appear for

the interview that the company has decided not to fill the job at this time or the apartment was rented just before they showed up. There are arguments that linguistic profiling is being blown out of proportion as it wasn't discussed in 1964 when the Civil Rights Act was signed. However, with the increased racial diversity of our communities, the opportunities to profile someone based on the sound of their voice are now very real.

## We Have Sexual Harassment Policies—Now What Do We Do With Them?



It is very important, if not imperative, these days for employers to have anti-harassment policies; however, having a policy may not be enough to protect your company from liability should a complaint be filed. Here are some suggestions on what the policy should contain and also what should be done with that policy once in place.

- Have both an anti-discrimination and anti-

harassment policy protecting employees from all forms of discrimination and harassment based on race, sex, national origin, disability, religion, and age.

- Include more than one avenue or person to complain to, not just their immediate supervisor;
- Include an anti-retaliation clause.
- Distribute this policy to all employees, including supervi-

sors, and have them sign off on policy showing they have received it;

- If an internal complaint is filed, promptly conduct an investigation and take appropriate disciplinary action against the alleged harasser if the complaint is substantiated; and
- Document the investigation and the results or actions taken.

Call 441-7624 for any questions or concerns.

## Accommodating Disabilities in the Workplace

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment. An individual with a disability is a person who:

Has a physical or mental impairment that substantially limits one or more major life

activities; has a record of such an impairment; or is regarded as having such an impairment.

Reasonable accommodation may include, but is not limited to: making existing facilities used by employees readily accessible to and usable by persons with disabilities; job restructuring, modifying work schedules, reassignment to a vacant position; acquiring or modifying equipment or devices, adjusting modifying examinations, training materials or policies, and providing qualified readers or interpreters.

An employer is required to make an accommodation to the known disability of a qualified applicant or employee, if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense, when considered in light of factors such as employer's size, etc.

An employer is not required to lower quality or production standards to make an accommodation, nor are they obligated to provide personal use items.



## Visit Human Rights Website

The Lincoln Commission on Human Rights website has been updated to include nearly all of the materials available in our office. We have made it easier for you to obtain these materials by giving you the ability to download them off the website and makes copies as you need.

The website is [ci.lincoln.ne.us](http://ci.lincoln.ne.us) (the City of Lincoln's website). You then go to "agencies" and then "Human Rights." The

materials and information are divided into: General, Employment, Housing, and Public Accommodation.

A new link on the website is that for LCHR's speaker bureau. We continue to be available to speak to any agency/organization, etc. no matter how small or large. This is free of charge.

Of course, you may still contact the LCHR's office at 441-

7625 for information on the free materials and presentations. We have two coloring books aimed at the younger generation. One deals with human rights and the other one explains fair housing issues. Both are written in a way that children will understand. For further information, you may either call the number above or E-mail to: [smoody@ci.lincoln.ne.us](mailto:smoody@ci.lincoln.ne.us).



## Remembering the 2004 Fair Housing Conference

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BearingPoint team from Washington, D.C. as the presenter for two sessions: Fair Housing Act: An Overview of Accessibility Requirements and Common Design & Construction Violation & Solutions.

This conference continues to grow in notoriety and be the

topic of conversation throughout the regional and national HUD offices. We are honored to have the support of staff from both locations.

The 2005 Fair Housing Conference will be expanded to a day and half and will be held April 13 & 14, 2005 at the Embassy Suites. On the 13<sup>th</sup>, which will be a half day, we will offer continuing education

credits for realtors/appraisers and for architects/developers. April 14<sup>th</sup> will be a full day with three plenary sessions and three breakout sessions. We are excited about expanding the Fair Housing Conference.

We are anticipating that registration space will fill quickly so have recommended that everyone mark their calendars to keep the dates open.



**Coleen J. Seng, Mayor of Lincoln with Mr. Kenneth Holbert, Dept. of Housing & Urban Development, Washington, D.C.**

**Lincoln Commission on  
Human Rights**

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Let us pull together before we're  
torn apart.



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## 2004 HUMAN RIGHTS COMMISSION

The nine-member Commission on Human Rights acts as an advisory body to the Mayor, City Council, and Equal Opportunity Officer. They have the responsibility of eliminating and preventing discrimination in places of public accommodation, housing and employment on the basis of race, color, religion, sex, disability, national origin, familial status, ancestry, age or marital status.

This volunteer body meets on the last Thursday of each month at 4:00 p.m. in the City Council Chambers at the City County Building. Agendas are made public one week prior to each meeting. Public comment is allowed at the end of each meeting.

To your right, you will see a picture of the 2004 Commissioners. They are: Sitting-Linda Willard; Oscar Harriott, Vice-Chair, Chair; and Meredith DeCory. Standing-Carmy Anthony; David Fikar, Sitaram Jaswal; and Maisun Allahiq. Inserts: Lori Lopez-Urdiales and Ernesto Castillo-Chair.

LCHR staff members are: Larry Williams, Director/Equal Opportunity Office; Colleen A. Floth, Sr. Civil Rights Investigator; Angela Wortman, Civil Rights Investigator; Sandi Moody, Office Manager, and Jennifer Graham, Sr. Office Assistant.

